

ENTERED

March 04, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

GARCIA GRAIN TRADING CORP.,

Plaintiff,

VS.

RODOLFO PLASCENCIA, SR. and
WNGU PROPERTIES, LLC,

Defendants.

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Civil Case No. 7:24-CV-00068

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES BANKRUPTCY COURT**

Pending before the Court is Rodolfo Plascencia, Sr. and WNGU Properties, LLC's Demand for Jury Trial and Amended Motion for Withdrawal of the Reference filed on February 26, 2024.¹ (Dkt. No. 2). On February 15, 2024, the Bankruptcy Court issued its Report and Recommendation to the United States District Court that Defendants' Motion to Withdraw the Reference be Granted. (Dkt. No. 1). The Bankruptcy Court recommends that the Motion be granted, but only after the Bankruptcy Court has certified that all pretrial and dispositive matters have been ruled on and the adversary proceeding is ready for trial.

Having considered the arguments, the applicable law, and the Bankruptcy Court's report and recommendation, the Court **ADOPTS** the Report and Recommendation to the United States District Court that Defendants' Motion to Withdraw the Reference be

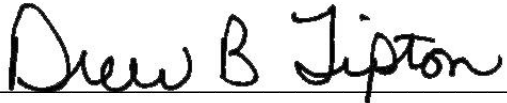
¹ In the case file for the proceeding in the Bankruptcy Court, this Motion was filed on February 9, 2024. (Adversary Proceeding No. 23-07002, Dkt. No. 59).

Granted. (Dkt. No. 1). Accordingly, the Court **GRANTS** the Demand for Jury Trial and Amended Motion for Withdrawal of the Reference. (Dkt. No. 2). And the Court **WITHDRAWS** the reference pursuant to 28 U.S.C. § 157(d) as to Adversary Proceeding 23-07002, upon the Bankruptcy Court's certification that the case is ready for trial.

Further, the Court **ORDERS** that the Bankruptcy Court is authorized to hear, adjudicate, and otherwise resolve all pretrial matters, including all dispositive motions, provided, however, that for any matter the resolution of which would result in the issuance of a final order or other such order as would be subject to immediate appeal as a matter of right, the Bankruptcy Court may hear such matter, but shall submit proposed findings of fact and conclusions of law to the Court, and any final order or judgment shall be entered by this Court.

It is SO ORDERED.

Signed on March 2, 2024.



DREW B. TIPTON
UNITED STATES DISTRICT JUDGE